

December 5, 2008

ADDENDUM NO. 2

**FOR THE CONSTRUCTION OF THE
CYPRESS SENIOR CENTER RENOVATIONS**

Notice is hereby given that the following revisions, additions, and/or deletions are hereby made a part of and incorporated into the plans and specifications for the Cypress Senior Center Renovations.

CHANGES TO PROJECT MANUAL – BIDDING DOCUMENTS


- 1) **Notice to Prospective Bidders** – Bid date has changed, see attachment.
- 2) **Notice to Contractors** – Bid date has changed, see attachment.
- 3) **Bidder's Bond** – Bid date has changed, see attachment.

Please replace the original Bid Documents and Specifications with the revised sheets attached.

INSTRUCTIONS

The bidder must sign this addendum in the space provided below and return one signed copy with the bid. **Failure to return the signed copy with bid documents shall not relieve the bidder of the obligation to include this addendum to the bid proposal. Bidder's failure to sign and submit any or all addenda with the bid shall be cause for rejection of the bid.**

APPROVED BY:

for 
KATY ALLEN
Director
Public Works Department

Bidder's Name _____

Signature and Title of Bidder
KJ:ls

Date

December 5, 2008
NOTICE TO PROSPECTIVE BIDDERS FOR THE
CYPRESS SENIOR CENTER RENOVATION
PROJECT

The non-mandatory pre-bid meeting for this project has been **RESCHEDULED** to **Friday, December 5, 2008 at 8:30 AM**. The meeting will be held at Cypress Senior Center, 403 South Cypress Ave., Room #1, San José, CA 95117. All Prospective General Contractors/Bidders are encouraged to attend. The purpose for this meeting is for the bidders to ascertain existing conditions and familiarize themselves with the project requirements, i.e. pertaining to the bidding procedures, plans, specifications, etc.

Bid Opening for this project will be **Tuesday, December 23, 2008 at 3:00pm** at the City of San Jose City Hall, Office of the City Clerk, 200 East Santa Clara Street, Wing Second Floor, San Jose, CA 95113.

If there are any questions, send them in written format by **Email or Fax** by Monday, December 15, 2008, 12:00 Noon to City of San José, DPW, CFAS Division, Attn. Linda Stewart, (linda.stewart@sanjoseca.gov)

Tentative date of issuance for Addenda and/or Clarifications (if necessary) will be on or before **December 18, 2008**.

If any other questions, please call me at 408-535-8426 or email at (linda.stewart@sanjoseca.gov).

Thank you,

Linda Stewart

Linda Stewart
Project Manager
City Facilities Architectural Services Division

PM/lis

CYPRESS SENIOR CENTER RENOVATION

BID DOCUMENTS

BID OPENING

3:00 P.M.

Tuesday, December 23, 2008

Bidder: _____

Project Manager: Linda Stewart
Internet Bid Line: <https://cpms.sanjoseca.gov/pub/BidHotLine>
Plans can be purchased at:
Plan Well: <http://www.sfocolorgraphics.com>
SFO Color Graphics: (408) 379-6905

Telephone: 408-535-8426

NOTICE TO CONTRACTORS

Sealed written proposals are invited by the CITY OF SAN JOSE for:

CYPRESS SENIOR CENTER RENOVATION **(Construction of new heating, ventilation and air-conditioning roof top units at three existing buildings)**

In accordance with and as described and provided in the Plans and Specifications thereof and the proposed form of contract thereof, all of which are on file in the office of the Director of Public Works and the City Clerk of the City, and which are made a part hereof.

BID DOCUMENTS /PLANS AND SPECIFICATIONS:

Instructions to Bidders, Bid Documents, Plans and Technical Specifications may be purchased after November 26, 2008, via the Internet and at SFO Graphics for a non-refundable charge of **Thirty Dollars (\$30.00)** per set (either Half or Full size sets). Please make checks payable to SFO Color Graphics, not the City of San Jose. There is a limit of one (1) set per Contractor at this price. Plans, Specifications and Plan Holder's list may be viewed at the same Internet site.

Bidders requesting that sets be mailed/shipped to them will be charged the full cost of shipping. Additional full or partial sets can be purchased for the full cost of the reproduction from the location listed above. Addenda, if any, will be provided free of charge to all registered plan holders, and to the various builders exchange locations.

Bidders will have fully inspected the project site in all particulars and become thoroughly familiar with the terms and conditions of the Plans, Specifications and other Contract Documents and local conditions affecting the performance and/or costs of the work prior to submitting their bid proposal.

PRE-BID MEETING:

The pre-bid meeting has been RESCHEDULED to Friday December 5, 2008 at 8:30AM, at 403 Cypress Ave., Room #1 San José, CA 95117. Attendance at the pre-bid meeting is not mandatory. All Prospective General Contractors/Bidders **are encouraged to attend**. The purpose for this meeting is for the bidders to ascertain existing conditions and familiarize themselves with the project requirements, i.e. pertaining to the bidding procedures, plans, specifications, etc.

FILING OF BIDS:

All proposals must be filed with the City Clerk of the City of San Jose, City Hall, 200 East Santa Clara Street, Wing Second Floor, San Jose, CA 95113, on **or before 3:00 PM, Tuesday, December 23, 2008** as set forth in the specifications. The City Clerk will publicly open and declare the aggregate bid of each bidder, at his/her office at 3:00 PM.

Each bid must be accompanied by cash, a certified check, a cashier's check, or a bidder's bond in the sum of not less than 10% of the total aggregate of the bid including all alternates. Checks shall be made payable to the order of the City of San Jose. Bonds shall be executed by a surety possessing a

valid certificate of authority issued by the California Department of Insurance and shall name the City of San Jose as beneficiary. All bids must be addressed to the City Clerk, City of San Jose and shall bear the title or name of the work to be constructed.

DEPOSIT OF SECURITIES IN LIEU OF RETENTION:

Pursuant to the terms and conditions set forth in Public Contracts Code Section 22300, the contractor may substitute certain securities for any money withheld by City as retention to ensure contractor's performance under the contract. Such substitution of securities in lieu of retention shall be at the contractor's request and at contractor's sole expense. The securities shall be in an amount equivalent to the retention to be released.

PREVAILING WAGES:

Attention is called to the fact that not less than the general prevailing rate of per diem wages and the general prevailing rates for holiday and overtime work must be paid on this project. Copies of the prevailing rate of per diem wages are on file with the Office of the City Clerk or the Office of Equality Assurance and can be obtained by interested bidders from those offices. All questions regarding prevailing wage should be directed to the Office of Equality Assurance at (408) 535-8430.

CONTRACTOR'S LICENSE REQUIREMENTS:

All prospective bidders are hereby cautioned that the Contractor's State License Law regulates contractor licensing matters. The Contractor, in its bid proposal, shall be required to disclose its license type, number, and expiration date.

Bidders must have a California contractor's license, classification B to bid this project.

NONDISCRIMINATION/NONPREFERENTIAL TREATMENT:

The Nondiscrimination/Non-preferential Treatment requirements of Chapter 4.08 of the San Jose Municipal Code apply to this project.

BOND REQUIREMENTS:

Bidder's attention is directed to those provisions of the Specifications which require the contractor to whom the contract for the work is awarded, to file with the City Clerk at the time the contract is executed, a Contractor's Payment Bond and a Bond for Faithful Performance meeting all the requirements of the Specifications and approved by the City Attorney of the City of San Jose. Bonds shall be executed by a surety possessing a valid certificate of authority issued by the California Department of Insurance and shall name the City of San Jose as beneficiary. The Contractor's Faithful Performance Bond shall be for 100% of the contract price. The Contractor's Payment Bond shall be for 100% of the contract price.

TIME LIMIT:

Time Limit for the completion of this work is described in the Special Provisions Section for this project.

By order of the Council of the City of San Jose.

DATED: _____

CITY OF SAN JOSE
A Municipal Corporation of the State of California

By: _____
CITY CLERK

BIDDER'S BOND

KNOW ALL PERSONS BY THESE PRESENTS:

That we, _____ as PRINCIPAL,
and _____, a corporation duly organized under the
laws of the State of _____ and duly licensed to become sole surety on bonds
required or authorized by the State of California, as SURETY, are held and firmly bound unto the
City of San Jose (hereinafter called the "City"), in the penal sum of TEN PERCENT (10%) OF THE
TOTAL AMOUNT OF THE BID of the Principal above named, submitted by said Principal to the
City of San Jose, for the work described below; for the payment of which sum in lawful money of
the United States, well and truly to be made, we bind ourselves, our heirs, executors, administrators
and successors, jointly and severally, firmly by these presents. In no case shall the liability of the
Surety hereunder exceed the sum of _____
DOLLARS
(\$ _____).

THE CONDITION OF THIS OBLIGATION IS SUCH,

That whereas the Principal has submitted the above mentioned bid to the City of San Jose, for
certain construction specifically described as follows, for which bids are to be opened in the Office
of the City Clerk Office, CITY OF SAN JOSE, City Hall, 200 E. Santa Clara St., Wing, 2nd floor,
San Jose, CA 95113 for **CYPRESS SENIOR CENTER RENOVATION.**

NOW, THEREFORE, if the aforesaid Principal is awarded the contract and, within the time
and manner required under the specifications, after the prescribed forms are presented to Principal
for signature, enters into a written contract, in the prescribed forms, in accordance with the bid, and
files a Faithful Performance Bond and a Contractor's Payment Bond, and files the required insurance
policies with the City, all as required by the specifications and the contract or by law, then the
obligation shall be null and void; otherwise it shall be and remain in full force and effect.

The Surety, for value received, hereby stipulates and agrees that the obligation of said Surety
and its bond shall be in no way impaired or affected by any extension of the time within which the
Owner may accept such Bid; and said Surety does hereby waive notice of any such extension.

In the event suit is brought upon this bond by the Obligee and judgement is recovered, the
Surety shall pay all costs incurred by the Obligee in such suit, including a reasonable attorney's fee to
be fixed by the court.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this
day of _____, 20____.

PRINCIPAL

SURETY

Legal Company Name

Legal Company Name

Indicate Type of Entity

By _____
Title:

By _____
Title:

By _____
Title:

By _____
Title:

(Affix Corporate Seals)

(Attach Acknowledgments of both Principal and Surety signatures)